



Division of Plant Industry

**QUARANTINE AND RULES
AGAINST THE IMPORTATION
OF PRUNUS SPECIES
INTO THE SAN LUIS VALLEY**

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Division of Plant Industry
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DEPARTMENT OF AGRICULTURE

Plant Industry Division

8 CCR 1203-18 QUARANTINE AND RULES AGAINST THE IMPORTATION OF PRUNUS SPECIES INTO THE SAN LUIS VALLEY

1.00 Quarantine

Effective May 3, 2004, a Quarantine is hereby imposed against the importation into Alamosa, Conejos, Costilla, Rio Grande and Saguache Counties of Colorado of all plant material of the genus *Prunus* except for the following species:

Prunus besseyi – western sand cherry
Prunus cistena – purple leaf sand cherry
Prunus glandulosa – flowering almond
Prunus maackii – amur chokecherry
Prunus tomentosa – nanking cherry
Prunus triloba – flowering almond
Prunus virginiana – chokecherry

2.00 Definitions

- 2.1. "Commissioner" means the Commissioner of the Colorado Department of Agriculture, or the Commissioner's designee.
- 2.2. "CPAC" means Colorado Potato Administrative Committee, Area II
- 2.3. "Department" means the Colorado Department of Agriculture.
- 2.4. "Import" means to ship or transport into the San Luis Valley from any county, state or country.
- 2.5. "Prohibited material" means any species of the genus *Prunus*.
- 2.6. "Prunus species" means all species of the genus *Prunus*.
- 2.7. "Quarantine" means the Quarantine against importation of *Prunus* species into Alamosa, Conejos, Costilla, Rio Grande, and Saguache Counties, Colorado, imposed May 3, 2004.
- 2.8. "San Luis Valley" means the Colorado counties of Rio Grande, Saguache, Alamosa, Conejos, and Costilla.

3.00 Enforcement

- 3.1. Any person who has reason to believe that prohibited material will be or has been shipped into the San Luis Valley, Colorado may notify the Department, Division of Plant Industry. This notification may be accomplished by phoning (303) 239-4142 or (303) 239-4153.
- 3.2. The Commissioner shall inspect all entities in the San Luis Valley holding a nursery registration at least once annually to determine compliance with the Quarantine.
- 3.3. The Commissioner shall conduct all investigations of the alleged violations of the Quarantine.

- 3.4. Pursuant to § 35-4-109, C.R.S. (2003), any shipment of prohibited material found by the Commissioner to be in violation of the Quarantine shall be removed from the San Luis Valley, Colorado within forty-eight (48) hours or it shall be destroyed by the Commissioner

4.00 Costs

- 4.1. The full cost (direct and indirect cost) incurred by the Department for activities associated with inspections, investigations, enforcement and destruction of prohibited materials pursuant to Part 3 above shall be billed to the CPAC on a quarterly basis.
- 4.2. The Department shall recover all legal costs from the CPAC incurred as a result of promulgating, implementing, and enforcing the Quarantine and these Rules at the rate charged by the Department of Law to the Department for legal services. The Colorado Potato Administrative Committee shall be billed quarterly, through their designated representative, for any such legal costs.

5.00 Statements of Basis and Purpose

5.1. Proposed January 15, 2004

Statutory Authority

This Quarantine and associated rules are imposed pursuant to the Pest Control Act, §§ 35-4-110 and 116, C.R.S. (2003).

Purpose

The purpose of this Quarantine is to protect the potato fields in Alamosa, Conejos, Costilla, Rio Grande and Saguache counties against the over wintering host of the primary aphid vector of certain viral diseases that affect potatoes. The purposes of these Rules are to enforce the provisions of the Quarantine against the importation of *Prunus* species into Alamosa, Conejos, Costilla, Rio Grande and Saguache Counties, Colorado, to recover the actual costs to offset the cash funds expended for services performed by the Commissioner in imposing the Quarantine, and to specify how such actual costs shall be recovered.

Factual Findings

The Commissioner of Agriculture finds as follows:

1. Approximately 75,000 acres in Alamosa, Conejos, Costilla, Rio Grande and Saguache Counties in Colorado are planted annually to produce potatoes.
2. Viral diseases affecting potatoes have cost producers in the San Luis Valley up to \$4 million per year.
3. Vector-borne viral diseases such as potato leaf roll virus (PLRV) and potato virus Y (PVY) carried by the Green Peach Aphid (*Myzus persicae*) are economically very damaging viral diseases.
4. PLRV infection of potatoes can have serious effects on yield and quality in certain varieties, especially Russet Norkotah. Over 50 percent of the commercial potato acres in the San Luis Valley are currently planted to Russet Norkotah.
5. *Prunus* species, primarily plum trees, are the primary over wintering host of green peach aphid in the San Luis Valley.

6. The Colorado Potato Administrative Committee along with Agro Engineering, Inc., has been conducting a monitoring and suppression program of the green peach aphid in the Valley for over seventeen years. This program involves monitoring aphid populations, mapping *Prunus* species, removing *Prunus* species from private landowner properties, and spraying *Prunus* species with insecticide to reduce or eliminate over wintering green peach aphid populations. Even with these activities in place, the 2003 certified seed potato program had the fourth highest rejection level for PLRV and the third highest rejection level for PVY in the last 35 years.
7. By preventing new *Prunus* species from being planted in the San Luis Valley from this point forward, along with other eradication efforts of current *Prunus* species, over time this should eliminate all over wintering hosts of the green peach aphid. These activities should effectively eradicate the green peach aphid from the San Luis Valley and greatly reduce the financial impact of viral diseases on potatoes.
8. The absence of a Quarantine to protect Alamosa, Conejos, Costilla, Rio Grande and Saguache County, Colorado potato fields against the over wintering host of viral diseases increases the risk of infection and presence of these costly diseases.